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OLC 71-0225

7 April 1971

MEMORANDUM FOR: Office of Planning, Programming and Budget

SUBJECT: Office of Legislative Counsel, Program Call
Submission FY 1970-77

1. Summary of Fund and Position Requirements

The summary of fund and position requirements for the period 1970-77 is attached hereto (Tab A).

2. Progress, Objectives and Program Plans

The Office of Legislative Counsel's primary objectives derive from its regulatory responsibility for all congressional matters arising in connection with the official business of the Agency. They may be summarized as:

- Keeping the Director fully informed on congressional activities;
- Maintaining liaison with Members of Congress, committee staffs, and legislative staffs of other Executive agencies;
- Reviewing proposed legislation and preparing and submitting Agency legislative programs when appropriate; and
- Handling congressional correspondence and requests.

a. Keeping the Director Fully Informed

The Director is kept informed on congressional matters by the Office of Legislative Counsel based on daily liaison with key staff personnel on the four committees having oversight responsibility for the CIA. The Office of Legislative Counsel

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is also in touch with other committees whose jurisdiction may relate to Agency activities. In addition, this Office frequently confers with individual Members of Congress to solicit their views on current congressional issues. In the past year progress towards the objective of keeping the Director and other Agency officials informed of material and relevant congressional affairs affecting the Agency was achieved by continued development of sources of information through close working ties with congressional Members and staffers. Contacts were also made with responsible officers in Executive agencies such as the Departments of Defense and State and with the Office of Management and Budget.

b. Congressional Relations

The basic objective of congressional relations is to obtain support for matters involving the Agency in the Congress. Achieving this objective depends in large part upon the merits of the Agency position. The Agency overall responsiveness to the legitimate needs of the Congress also comes into play. In the period under consideration, our response to these two needs reflected creditably upon CIA professionalism and competence. Contributing to these favorable results are the programs for formal briefings of our CIA Committees and other congressional committees, and providing informal briefings to Members and their staffs.

c. Legislative Program

The objectives of the legislative program are:

- Obtain the adoption of legislation to meet the specific needs of the Agency;
- Screen legislative proposals introduced in the Congress and take necessary action with respect to the Agency position thereon; and
- Coordinate reports, setting forth the Agency position on pending legislation to the Office of Management and Budget or committees of Congress.

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(1) Achievements made toward obtaining the adoption of Agency legislation were:

(a) For the third consecutive year the CIA Retirement Act was amended. The number of retirees authorized was increased, other provisions were updated, and Government monies paid into the Civil Service fund for CIA employees covered by the CIA Retirement Act were transferred into the CIA fund. Legislative history inserted at our request into the Congressional Record hopefully will persuade the Civil Service Commission to modify its overly restrictive interpretation of the funds provision.

(b) The Office of Legislative Counsel gave a successful push to an amendment to the Social Security Act which will enable some contract employees to credit towards their retirement periods of Federal employment previously denied them. The enactment obviates the need for a costly annuity program which was being drawn up to overcome this inequity.

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(2) The following legislative proposals were screened for possible Agency interest:

(a) The Ervin Bill (S. 782). This bill, relating to the constitutional rights of Federal employees, died in a House Post Office and Civil Service Subcommittee. In addition to the Agency, the Defense Department, State Department, and the Civil Service Commission opposed the bill. Senator Ervin will probably reintroduce his bill in the 92nd Congress.

(b) Equal Employment Opportunities Act. A proposal to enforce the rights of workers discriminated against under the Civil Rights Act of 1964 passed the Senate but died in the House Rules Committee. As reported out by the Senate Labor and Public Welfare

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Committee, the bill would have permitted a complainant (applicant or employee) to bring the Agency into court on an alleged violation. When this possibility was pointed out to the Senate Committee staff, they explained that only the competitive service was intended to be covered. Later the section dealing with Federal employment was deleted from the bill by the Senate.

(c) Restrictions on Executive Action. A number of measures were introduced to either restrict Executive authority or deny funds for implementation of Government activities in Southeast Asia. The overall effect of these restrictions on Agency programs was carefully evaluated and monitored, and OLC worked closely with OGC, committee staffers and DOD officials to arrive at a mutual understanding of the impact of the restrictions on Agency activities.

(d) The program of monitoring legislation introduced in Congress resulted in the review of 7,400 bills and 2,000 legislative proposals.

(3) The Office of Legislative Counsel coordinated the Agency position on pending legislation and transmitted it to the appropriate offices as shown below:

(a) The Agency responded to seven requests from the Office of Management and Budget for our views on pending legislation.

(b) The Agency also responded to several requests from congressional committees for our views on proposed bills.

d. Congressional Correspondence and Requests

Individual requests from Members of Congress, their staffs, and from committee staffs resulted in some 1,200 personal contacts and about 700 correspondence items.

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4. Program Plans

The program plans of the Office of Legislative Counsel are influenced both by the changing needs of the Agency and the requirements imposed by Congress, and must necessarily remain flexible. No major program changes are contemplated over the reporting period, however, it is expected that the number of issues that will arise will continue to increase over the reporting period as they have in the past.

5. Resources required:

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